

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

OLYMPIA HOTEL MANAGEMENT,
LLC, a Delaware limited liability company,

Plaintiff,

v.

THE BEND HOTEL DEVELOPMENT
COMPANY, LLC, an Illinois limited
liability company,

Defendant.

Civil Action No. 2:20-cv-00136-NT

JOINT OBJECTION TO SCHEDULING ORDER

NOW COME Plaintiff Olympia Hotel Management, LLC (“Olympia”) and Defendant The Bend Hotel Development Company, LLC (“Bend”), and enter the following joint objection to the Court’s Scheduling Order entered November 15, 2020 (ECF No. 32). In support of this Objection, the parties state as follows.

1. The Bend asserts counterclaims against Olympia, and both parties wish to reserve the right to proffer expert testimony with respect to their affirmative claims.
2. Accordingly, the parties propose that each party, with respect to its affirmative claims, be required to designate experts required to be disclosed by Fed. R. Civ. P. 26(a)(2)(A) by **January 28, 2021**.
3. The parties propose that each party, with respect to any rebuttal of the experts designated by January 28, 2021, be required to designate experts required to be disclosed by Fed. R. Civ. P. 26(a)(2)(A) by **March 4, 2021**.
4. The parties note that these changes do not alter other deadlines in the case schedule.

5. The parties further propose that each party be allowed 7 (seven) depositions per side and that this limit exclude expert witnesses. The parties believe that increasing the number of depositions per side from 5 to 7, and excluding expert witnesses from this number, is necessary because of the number of individuals involved in the subject matter of the lawsuit.

WHEREFORE, Plaintiff Olympia Hotel Management, LLC and Defendant The Bend Hotel Development Company, LLC respectfully request that this Honorable Court amend the operative scheduling order as follows:

- a. The deadline to designate experts required to be designated by Rule 26(a)(2)(A) on each party's affirmative claims shall be January 28, 2021.
- b. The deadline to designate rebuttal experts required to be designated by Rule 26(a)(2)(A) shall be March 4, 2021.
- c. The number of depositions per side shall be 7 (seven) and this limit shall exclude expert witnesses.

DATED: December 1, 2020

Respectfully submitted,

/s/ Aaron P. Burns

Aaron P. Burns
PEARCE, DOW & BURNS, LLP
2 Monument Sq., Ste. 901
PO Box 108
Portland, ME 04112
Tel: (207) 822-9900
aburns@pearcedow.com

/s/ Nolan L. Reichl

Nolan L. Reichl
PIERCE ATWOOD LLP
Merrill's Wharf
254 Commercial Street
Portland, ME 04101
Tel: (207) 791-1100
nreichl@pierceatwood.com

James L. Oakley
Zachary R. Clark
TAFT STETTINIUS & HOLLISTER LLP
111 East Wacker Drive, Ste. 2800
Chicago, Illinois 60601
Tel: (312) 527-4000
joakley@taftlaw.com
zclark@taftlaw.com

*Attorney for Plaintiff and Counterclaim
Defendant Olympia Hotel Management, LLC*

*Attorneys for Defendant and Counterclaim
Plaintiff The Bend Hotel Development
Company, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

I hereby certify that I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system which sent notification of such filing to all counsel of record.

Dated this 1st day of December, 2020.

By: /s/ Nolan L. Reichl
Nolan L. Reichl
PIERCE ATWOOD LLP
Merrill's Wharf
254 Commercial Street
Portland, ME 04101
Tel: (207) 791-1100
Fax: (207) 791-1350
nreichl@pierceatwood.com

*Attorney for Plaintiff and Counterclaim
Defendant Olympia Hotel Management,
LLC*